



**MORGAN HILL REDEVELOPMENT AGENCY
CITY COUNCIL**

COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

REDEVELOPMENT AGENCY

Dennis Kennedy, Chair
Hedy L. Chang, Vice-Chair
Larry Carr, Agency Member
Greg Sellers, Agency Member
Steve Tate, Agency Member

CITY COUNCIL

Dennis Kennedy, Mayor
Larry Carr, Mayor Pro Tempore
Hedy L. Chang, Council Member
Greg Sellers, Council Member
Steve Tate, Council Member

WEDNESDAY, JUNE 26, 2002

JOINT AGENDA

**SPECIAL AND REGULAR REDEVELOPMENT AGENCY MEETING
&
SPECIAL CITY COUNCIL MEETING**

6:30 P.M.

CALL TO ORDER

(Chairperson/Mayor Kennedy)

ROLL CALL ATTENDANCE

(Deputy Agency Secretary/Deputy City Clerk Malone)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(Deputy Agency Secretary/Deputy City Clerk Malone)

***A Special Meeting is called at 6:30 P.M. for the purpose of
conducting Closed Sessions.***

Dennis Kennedy, Chairman/Mayor

CLOSED SESSIONS:

City Council and Redevelopment Agency Action

1.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant Exposure to Initiation of Litigation

Authority: Government Code Sections 54956.9(b) & (c)

Number of Potential Cases: 2

2.

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL AND EXISTING LITIGATION:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Legal Authority: Government Code 54956.8 & 54956.9(a) & (c) (1 potential case)

Real Property(ies) involved: APN 728-31-007 & 008; 25.50 acres located on the southwesterly side of Cochrane Road (St. Louise Hospital property)

City Negotiators: Agency Members; Executive Director; Agency Counsel; F. Gale Conner, special counsel; Rutan & Tucker, special counsel

Case Name: San Jose Christian College v. City of Morgan Hill

Case Numbers: Ninth Circuit Court of Appeal No. 02-15693

Closed Session Topic: Potential Existing Litigation/Real Estate Negotiations

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

RECONVENE

CLOSED SESSION ANNOUNCEMENT

7:00 P.M.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

RECOGNITION

Outgoing Parks & Recreation Commissioners

Wayne Puder, Wayne Tanda and Bill Weber

Captain Carey Sullivan

Fran Hernandez

Reach Out Program at St. Catherine's Church

PUBLIC COMMENT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND PRESENT IT TO THE CITY CLERK.

(See notice attached to the end of this agenda.)

PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE AGENCY SECRETARY/CITY CLERK. THE AGENCY SECRETARY/CITY CLERK WILL FORWARD CORRESPONDENCE TO THE REDEVELOPMENT AGENCY/CITY COUNCIL.

CONSENT CALENDAR:

The Consent Calendar, Agenda Item # 1 and Agenda Items #2 through #9 may be acted upon with one motion, a second and the vote, by each respective agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Redevelopment Agency Action

Time Estimate

Consent Calendar: 1-10 Minutes

Page

- 1) **MAY 2002 FINANCE & INVESTMENT REPORT** 1
Recommended Action(s): Accept and File Report.

City Council Action

Time Estimate

Consent Calendar: 1-10 Minutes

Page

- 2) **2002-03 WORKPLAN** 13
Recommended Action(s): Accept 2002-03 Workplan.
- 3) **AWARD OF CONTRACT TO PROVIDE PUBLIC WORKS INSPECTION SERVICES ON AN AS-NEEDED BASIS** 35
Recommended Action(s):
1. Approve a Professional Services Contract with Testing Engineers, Inc. (TEI) to Provide Public Works Inspection Services on an As-needed Basis at a Not-to-exceed Cost of \$127,000 for FY 02-03 (Contingent on Approval of the 2002/2003 Budget), and
2. Authorize the City Manager to Execute the Contract.
- 4) **ACKNOWLEDGMENT OF NO BIDS FOR SIDEWALK, CURB & GUTTER REPLACEMENT PROJECT** 37
Recommended Action(s):
1. Acknowledge That No Bids Were Received, and
2. Authorize Staff to Negotiate a Contract with a Qualified Contractor to Perform the Work per Public Contract Code Section 20166.

- 5) **AWARD OF CONTRACT TO PROVIDE PLAN CHECKING SERVICES ON AN AS-NEEDED BASIS** 39
Recommended Action(s):
 1. **Approve** FY 02-03 Professional Services Contract with Harris & Associates to Provide Contract Plan Checking Services on an As-Needed Basis at a Not-to-exceed Fee of \$120,000, Subject to Adoption of the FY 02-03 Budget; and
 2. **Authorize** the City Manager to Execute the Contract.

- 6) **AWARD CONTRACT FOR CONSTRUCTION OF THE EDMUNDSON RESERVOIR PROJECT** 41
Recommended Action(s):
 1. **Award** Contract to Chicago Bridge & Iron for Construction of the Edmundson Reservoir in the Amount of \$1,338,168.00;
 2. **Approve** an Amendment to the Schaaf & Wheeler Design Contract Not-to-exceed \$83,076.00 for Construction Phase Services; and
 3. **Approve** a Construction Contingency of 20% of the Construction Contract for the Edmundson Reservoir Project, Not-to-exceed \$267,600.00.

- 7) **AWARD CONTRACT FOR CONSTRUCTION OF 2002/2003 TRAFFIC SIGNALIZATION PROJECT** 43
Recommended Action(s):
 1. **Award** Contract to GAB Construction for Construction of the 2002/2003 Traffic Signalization Project in the Amount of \$456,000; and
 2. **Approve** 10% Construction Contingency in the Amount of \$45,600.

- 8) **EXTENSION OF CONTRACT FOR CONSULTANT PLANNING SERVICES** 45
Recommended Action(s): **Authorize** the City Manager to Execute an Extension to the Consultant Services Agreement for Contract Planning Services at a Cost Not-to-exceed \$15,000.

- 9) **UTILITY BILLING SOFTWARE PURCHASE AND INSTALLATION** 51
Recommended Action(s): **Authorize** the City Manager to Execute a Contract for a New Utility Billing Software System with Incode, Inc. in the Amount Not to Exceed \$110,000.

City Council Action

PUBLIC HEARINGS:

- | Time Estimate | Page |
|----------------------|---|
| 10) 3 Minutes | |
| | <u>APPEAL OF SUBDIVISION APPLICATION SD 01-04: MCLAUGHLIN-JONES</u> 59 |
| | Public Hearing Opened. |
| | Action - <u>Continue</u> Public Hearing to July 17, 2002 Meeting. |

Redevelopment Agency and City Council Action

PUBLIC HEARINGS:

- | Time Estimate | Page |
|----------------------|--|
| 11) 30 Minutes | |
| | <u>PUBLIC HEARING FOR ADOPTION OF FISCAL YEAR 2002-2003 BUDGET</u> 65 |
| | Public Hearing Opened. |
| | Please Limit Your Remarks to 3 Minutes. Public Hearing Closed. |
| | Council Discussion. |
| | Action - <u>Approve</u> Resolution No. 5584 5589, of the City of Morgan Hill |

- Action - Adopting the Fiscal Year 2002/2003 Annual City Budget and Adopting the Appropriations Limit for Fiscal Year 2002/2003, **Approve** Resolution No. MHRA 241, of the Redevelopment Agency of the City of Morgan Hill Adopting the Fiscal Year 2002/2003 Annual Agency Budget; and
- Action - **Approve** the Capital Improvement Plan.

City Council Action

PUBLIC HEARINGS Continued:

	Time Estimate		Page
12)	30 Minutes	<u>ADJUSTMENTS TO DEVELOPMENT IMPACT FEES</u>	75
		Public Hearing Opened.	
		Please Limit Your Remarks to 3 Minutes.	
		Action - <u>Continue</u> Public Hearing to July 17, 2002.	
		Council Discussion.	
		Action - <u>Discuss</u> Consultant Recommended Adjustments to Development Impact Fees	
13)	30 Minutes	<u>ADJUSTMENTS TO USER FEES, SERVICE CHARGES, AND MISCELLANEOUS UTILITIES FEES</u>	209
		Public Hearing Opened.	
		Please Limit Your Remarks to 3 Minutes.	
		Action - <u>Continue</u> Public Hearing to July 17, 2002.	
		Council Discussion.	
		Action - <u>Discuss</u> Consultant Recommended Adjustments to User Fees,	
		Action - <u>Motion to Waive</u> the Reading in Full of Ordinance No. 1569,	
		<u>Motion to Introduce</u> Ordinance No. 1569, New Series by Title	
		Only. (Roll Call Vote); and	
		Action - <u>Direct</u> Staff to Return Within One Year Regarding Planning, Building, and Engineering Fee Adjustments.	

City Council Action

OTHER BUSINESS:

	Time Estimate		Page
14)	5 Minutes	<u>CITY RECREATION FACILITY RESERVATION PROCEDURES AND USER FEES</u>	273
		<u>Recommended Action(s):</u>	
		1. <u>Discuss</u> the Fee Schedule, and	
		2. <u>Approve</u> Procedures for Reservation of City Recreation Facilities.	

- | | | |
|-----|-----------|--|
| 15) | 5 Minutes | <u>EXCEPTION TO LOSS OF BUILDING ALLOCATION, ELBA-02-06:
CENTRAL - CENTRAL PARK</u> 281 |
| | | <u>Recommended Action(s):</u> <u>Adopt</u> Resolution No. 5583 5590 Granting an
Exception to Loss of Building Allocation. |

Redevelopment Agency Action

OTHER BUSINESS:

- | | Time Estimate | | Page |
|-----|----------------------|---|-------------|
| 16) | 20 Minutes | <u>MORGAN HILL DOWNTOWN ASSOCIATION (MHDA) AGREEMENT</u> . . . 287 | |
| | | <u>Recommended Action(s):</u> <u>Authorize</u> the Executive Director to Negotiate and
Execute an Agreement, Subject to Agency General Counsel Approval, with the
MHDA in an Amount No-to-exceed \$86,000. | |

FUTURE AGENCY-INITIATED AGENDA ITEMS:

This is an Opportunity for Members of the Redevelopment Agency to Request Items for Future Agendas.
Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate
an/or action taken on any request other than providing direction to staff to place the matter of business
on a future agenda.

ADJOURNMENT